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Legal Staff
International Division

FAX

Date March 30, 2007
To Mr. Dan Steamer
Of USPTO
Fax 1-571-273-0459
From Sunhee Lee
Subject Statement

Our Ref Q88281

Your Ref

USSN 10/540,919

Pages 15
(including cover sheet)

Please call attention to problems with this transmission by return fax or telephone. Thank you.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88281

Seong-Min KIM, et al.

Appln. No.: 10/540,919

Group Art Unit: 2836

Confirmation No.: 3322

Examiner: Unknown

Filed: June 29, 2005

For: ELECTRIC ENERGY STORAGE DEVICE AND METHOD OF CHARGING AND
DISCHARGING THE SAME

RECEIVED
30 MAR 2007
Legal Staff
International Division

STATEMENT

MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

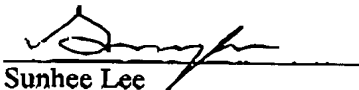
Alexandria, VA 22313-1450

Sir:

I, Sunhee Lee, an attorney of record of the instant application, affirms that the 13 -page documents, listed below, which were faxed to the PCT National Stage Group at facsimile number 571-273-0459 on March 27, 2007 are true copies of the documents filed with the USPTO, MAIL STOP PCT with respect to the instant application on October 27, 2006.

1. Supplemental Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (in duplicate) with a copy of the executed Declaration and Power of Attorney, copy of Decision, and Check No. 308849 in the amount of \$65.00
2. Petition for Extension of Time (in duplicate with Check No. 308846 in the amount of \$510.00)
3. Copy of an executed Assignment with PTO Form 1595 and Check No. 308844 in the amount of \$40.00

Respectfully submitted,

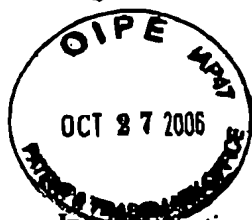


Sunhee Lee
Registration No. 53,892

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: March 30, 2007



FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

Seong-Min KIM, et al.

Appln. No.: 10/540,919

Confirmation No.: 3322

Filed: June 29, 2005

Group Art Unit: [group_art]

Examiner: [matter_examiner]

For: **ELECTRIC ENERGY STORAGE DEVICE AND METHOD OF CHARGING AND
DISCHARGING THE SAME**

PAPER(S) FILED ENTITLED:

1. Supplemental Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (in duplicate) with a copy of the executed Declaration and Power of Attorney, copy of Decision, and Check No. 308849 in the amount of \$65.00
2. Petition for Extension of Time (in duplicate with Check No. 308846 in the amount of \$510.00)
3. Copy of an executed Assignment with PTO Form 1595 and Check No. 308844 in the amount of \$40.00

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

DOCKET NO.: Q88281
ATTORNEY/SEC: SXL/ecb
Date Filed: October 27, 2006

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88281

Seong-Min KIM, et al.

Appln. No.: 10/540,919

Group Art Unit: 2836

Confirmation No.: 3322

Examiner: Unknown

Filed: June 29, 2006

For: ELECTRIC ENERGY STORAGE DEVICE AND METHOD OF CHARGING AND
DISCHARGING THE SAME

**SUPPLEMENTAL RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) AND DECISION ON PETITION**

MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RECEIVED
JUN 27 2006

Sir:

On March 13, 2006, Applicant filed a response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)," for the above application along with a Petition Under 37 C.F.R. § 1.47(a). At that time Applicant was unable to locate and obtain the signature of one of the inventors, Mr. Hee-Young LEE, and, thus, submitted a Petition on the same grounds. A Decision on the Petition was mailed from the U.S. PTO dated June 29, 2006. After continued efforts, Applicant has now been successful in obtaining the signature of Mr. Lee and respectfully submits herewith a copy of the Declaration for the above identified application properly executed by him. Also enclosed

Seong-Min KIM, *et al.*
Appln. No. 10/540,919
Supplemental Response to Notification of Missing
Requirements

please find a copy of the Decision dated June 29, 2006, which sets forth the time for responding
and a Petition for Extension of Time.

A check for the statutory fee of \$65.00 is attached. The USPTO is directed and
authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to
Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A
duplicate copy of this paper is attached.

Respectfully submitted,



Sunhee Lee
Registration No. 53,892

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 27, 2006



29 JUN 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

DOCKETED**JUN 30 2006**

In re Application of
KIM et al.
Application No.: 10/540,919
PCT No.: PCT/KR03/02744
Int. Filing Date: 13 December 2003
Priority Date: 30 December 2002
Attorney Docket No.: Q88281
For: ELECTRIC ENERGY STORAGE DEVICE AND
METHOD OF CHARGING AND DISCHARGING THE SAME:

DECISION

This is a decision on applicants' "Petition Under 37 CFR §1.47(a)" filed 13 March 2006 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 13 December 2003, applicants filed international application PCT/KR03/02744, which designated the United States and claimed a priority date of 30 December 2002. A copy of the international application was communicated from the International Bureau to the USPTO on 15 July 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 30 June 2005.

On 29 June 2005, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, an English translation of the International Application, and an assertion of small entity status.

On 12 January 2006, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge under 37 CFR 1.492(h) for filing any of the search fee, the examination fee, or the oath or declaration after the date of the commencement of the national stage.

On 13 March 2006, applicants filed the instant petition under 37 CFR 1.47(a) which was accompanied by, *inter alia*, a declaration of inventors signed by six of the seven joint inventors and a declaration of facts by Lee Si Hyung.

Application No.: 10/540,919

-2-

DISCUSSION

The declaration of facts by Lee Si Hyung states that he was told by the nonsigning inventor's family "that she was abroad and no definite dates of return were known to the family." MPEP § 409.03(d), item I, states that the "fact that a nonsigning inventor is on vacation or out of town and is therefore temporarily unavailable to sign the declaration is not an acceptable reason for filing under 37 CFR 1.47." In this instance, the nonsigning inventor Hee Young Lee is out of town and thus a petition under 37 CFR 1.47 is not applicable. Also, the last attempt to contact Hee Young Lee was eleven months ago.

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.47(a) is **DISMISSED**.

Since the reply filed 13 March 2006 appears to have been bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to provide an oath or declaration in compliance with 37 CFR 1.497(a)-(b). Extensions of this time period may be granted under 37 CFR 1.136(a).

Failure to timely file a proper response will result in **abandonment** of the application.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.


Daniel Stemmer

Legal Examiner

PCT Legal Affairs

Office of Patent Cooperation Treaty

Legal Administration

Telephone: (571) 272-3301

Facsimile: (571) 273-0459

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88281

Seong-Min KIM, et al.

Appln. No.: 10/540,919

Group Art Unit: 2836

Confirmation No.: 3322

Examiner: Unknown

Filed: June 29, 2005

For: ELECTRIC ENERGY STORAGE DEVICE AND METHOD OF CHARGING AND
DISCHARGING THE SAME

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.136, Applicant hereby petitions for an extension of time of three months, extending the time for responding to the Decision of June 29, 2006 to October 29, 2006.

A check for the statutory fee of \$510.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this sheet is enclosed.

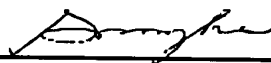
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Respectfully submitted,



Sunhee Lee
Registration No. 53,892

Date: October 27, 2006

Q88281

MODIFIED Form PTO-1595
(Rev. 10/02)RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Director of the U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Seong-Min KIM (executed July 14, 2005 & recorded March 13, 2006)
 Hee Young LEE
 Yong-Ho JUNG (executed 7/14/05 & recorded 3/13/06)
 Heui-Soo KIM (executed 7/14/05 & recorded 3/13/06)
 Sung-Chul PARK (executed 7/14/05 & recorded 3/13/06)
 Ha-Young LEE (executed 7/14/05 & recorded 3/13/06)
 Eun-Sil KIM (executed 7/14/05 & recorded 3/13/06)

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: October 25, 2006

2. Name and address of receiving party(ies):

Ness Cap Co., Ltd.
 #29-9 Woncheon-dong, paldal-gu
 Suwon-si, Gyeonggi-do 442-380
 Republic of Korea

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or parent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
 10/540,919

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

SUGHRUE MION, PLLC

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41): \$40.00

☒ Enclosed.☐ Authorized to be charged to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

8. Deposit Account Number:

19-4880

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Sunhee Lee

Reg. No. 53,892

October 27, 2006

Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:

MAIL STOP ASSIGNMENT RECORDATION SERVICES

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Docket No. Q00281
For Non-U.S. Clients

Assignment

Whereas, We, Seong-Min KIM, Hee-Young LEE, Yong-Ho JUNG, Heui-Son KIM, Sung-Chul PARK, Ha-Young LEE and Eun-Sil KIM of Yongin-si, Anyang-si, Suwon-si, Seoul, Suwon-si, and Suwon-si, Korea, respectively, hereinafter called assignors, have invented certain improvements in ELECTRIC ENERGY STORAGE DEVICE AND METHOD OF CHARGING AND DISCHARGING THE SAME and executed an application for Letters Patent of the United States of America therefor on Oct 25, 2006; and

Whereas,

NESS CAP CO., LTD.
#29-9 Woncheon-gong, Paldal-gu
Suwon-si, Gyeonggi-do 442-380
Republic of Korea

(assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

We, the above named assignors, hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and we request the Director of the U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

We hereby authorize and request our attorneys STIGHERMEYER, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number 10/540,919 and Confirmation number 3322, filed June 29, 2005) the application number and filing date of said application when known.

Date: _____
s/Seung-Min KIM

Date: Oct 25, 2006 H. Lee
s/Hee-Young LEE

Date: _____
s/Yong-Ho JUNG

Date: _____
s/Hui-Son KIM

Date: _____
s/Sung-Chul PARK

Date: _____
s/Ia-Young LEE

Date: _____
s/Eun-Sil KIM

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)

Docket No.: 088281

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (37 C.F.R. 1.63)

특허 출원 관련 선언 및 위임장

Korean Language Declaration

한국어 선언서

본인은 다음과 같이 선언합니다.

I hereby declare that:

각 발명자의 거주지, 우편 주소 및 국적은 하기 기발명자의 설명의 아래선에 기재된 것과 동일합니다.

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

본인은, 하기의 발명자(들)이, 다음과 제복을 갖는 발명에 관하여 특허를 받거나 하거나 특허를 받기 위하여 기재되어 있는 대상에 대하여 원래의 최초 발명자(들)이라고 믿습니다.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ELECTRIC ENERGY STORAGE DEVICE AND METHOD
OF CHARGING AND DISCHARGING THE SAME

☐ 명세서는 원부본에 따라 같습니다.

☒ the specification of which is attached hereto

또는

OR

☐ 비합중국 출원인 S. N. PCT 국제 출원 번호는 _____ (국가번호 _____)로 _____ 일에서 출원되었고, _____ 일에서 수정되었음 (해당 경우).

☐ was filed on _____ as United States Application Number or PCT International Application Number _____ and was amended on _____ (if applicable).

본인을 위해 구체적으로 언급된 보정서에 의해 보정된 상기 명세서 (특허청에 범위 포함)의 내용을 참조 및 이해했음을 확인합니다.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

본인은 발명 규정 고시 제 37 장 제 1.56 항에 규정된 바에 따라, 특허성의 판단에 중요한 자료 정보로 공개된 의무가 있음을 인정한다. 이와 같은 의무에는, 부분 연속 출원(들)의 경우에, 전 출원의 출원일과 부분 연속 출원의 국내 출원일 혹은 PCT 국제 출원일 사이에 입수되었던 중요한 자료 정보를 공개하는 것이 포함됨을 인정합니다.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Korean Language Declaration

본원은 아래 기재된 이의 권은 외국 특허출원(들), 외국 발명자권 출원(들) 또는 외국 식물 품종권 권리 출원(들)에 기초하여 미합중국 35 USC 제 35 장 제 119(a)-(d)항 또는 (f)항, 또는 365(b)항에 규정된 외국 우선권 또는 미합중국을 제외한 비수권 한 국가권 지정되는 PCT 국제출원(들)에 기초하여 미합중국 35 USC 제 35 장 제 365(a)항에 규정된 외국 우선권을 주장하며, 나아가 우선권이 주장되는 출원의 출원일 이전에 출원된 외국 특허출원(들), 외국 발명자권 출원(들) 또는 외국 식물 품종권 권리출원(들) 또는 PCT 국제출원(들)에 아래 해당항을 체크함으로써 표시하였습니다.

Prior Foreign Application Number(s)
이전의 외국 출원번호(들)

10-2002-0086299
(Application Number)
(출원 번호)

Korea
(Country)
(국가)

12/30/2002
(Filing Date)
(출원 일자)

Priority Claimed?
우선권 주장함
Yes No
예 아니오
☒ ☐

(Application Number)
(출원 번호)

(Country)
(국가)

(Filing Date)
(출원 일자)

☐ ☐

본원은 미합중국 35 USC 제 35 장 제 119(e)항에 명시된 마와 같이, 하기 미합중국 가출원의 국내 우선권을 주장합니다.

(Application Number)
(출원 번호)

(Filing Date)
(출원 일자)

(Application Number)
(출원 번호)

(Filing Date)
(출원 일자)

본원은 미합중국 35 USC 제 35 장 제 120 항에 의거 미합중국 출원(들)의 이익 또는 제 365(c)항에 의거 미합중국을 지정하는 PCT 국제출원(들)의 이익을 하기와 같이 주장합니다. 또한, 본 특허출원의 각 특허청구항위에 기재된 내용이 미합중국 35 USC 제 35 장 제 112 항의 첫번째 패러그래프에 규정된 바에 따라 전 미합중국 출원 또는 전 PCT 국제출원에 기재되어 있지 않은 경우에는, 본 출원의 특허성을 판단하는데 중요한 정보로서 전 출원의 출원일과 본 출원의 국내 출원일 또는 PCT 국제 출원일 사이에 발생한 모든 사실 정보를 공개한 의무가 있음을 인정합니다.

Prior U.S. or International Application Number(s)
이전의 국내 또는 국제 출원 번호(들)

(Application Number)
(출원 번호)

(Filing Date)
(출원 일자)

(Status: patented, pending, abandoned)
(원형: 특허, 출원중, 포기)

(Application Number)
(출원 번호)

(Filing Date)
(출원 일자)

(Status: patented, pending, abandoned)
(원형: 특허, 출원중, 포기)

본원이 아는 한도 내에서 이기에 제공된 모든 내용이 사실이고, 제공된 정보나 소신이 모두 사실임을 믿고 있으며, 더 나아가 미합중국 35 USC 제 18 장의 1001 항에 명시된 마와 같이 그 외의 허위 진술 및 이와 유사한 행위나 언급이나 부속으로 기밀 받거나 발각과 진위성을 모두 받을 수 있고 이러한 고의의 허위 진술은 특허 출원이나 후에 발급된 특허의 유효성을 위태롭게 함을 인지하면서 여기에 진술된 출원일 1.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Korean Language Declaration

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POWER OF ATTORNEY: I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

STATEMENT OF ACCURATE TRANSLATION IN ACCORDANCE WITH 37 C.F.R. §1.69(h):

The declaration and power of attorney is an accurate translation of the corresponding English language declaration and power of attorney.

Signature Jane LeeDate April 12, 2007

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